

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BELINDA K.,)	Case No.: 10-CV-05797-LHK
)	
Plaintiff,)	
v.)	ORDER DECLINING TO IMPOSE
)	SANCTIONS
COUNTY OF ALAMEDA et al.,)	
)	
Defendants.)	

Defendants the East Bay Children’s Law Offices and Jonna Thomas (“EBCLO Defendants”) tried unsuccessfully to move for an order sealing information relating to their pending Motion to Dismiss. EBCLO Defendants failed to follow the Civil Local Rule regarding sealing requests. *See* Civ. L.R. 79-5, and their request was therefore denied. After the second improper sealing request was denied based on a similar failure, the Court issued an Order stating that EBCLO Defendants could be sanctioned if it submitted additional sealing requests that did not comply with the Local Rules. EBCLO Defendants then submitted a third improper sealing request. The Court issued an Order to Show Cause why sanctions should not be imposed for the EBCLO Defendants’ repeated failure to comply with the Local Rules and this Court’s Orders. *See* Dkt. No. 111.

1 EBCLO Defendants have now submitted a proper sealing request, which was granted on
2 May 20, 2011. EBCLO Defendants also responded to the Order to Show Cause, stating that their
3 failure to comply with the Local Rules was unintentional and that they have been trying in good
4 faith to comply with the rules. The Court is persuaded that EBCLO Defendants' errors were made
5 in good faith. Because sanctions carry such serious consequences, the Court declines to impose
6 them at this time. *United States v. Isgro*, No. 90-505311992, U.S. App. LEXIS 30916 at *26 (9th
7 Cir. Nov. 25, 1992). Nevertheless, counsel for EBCLO Defendants are advised that sanctions will
8 be evaluated based on the full record in this case, and if further improper sealing requests are made,
9 the Court may revisit this issue. *Sec. Farms v. Int'l. Bhd. of Teamsters*, 124 F.3d 999, 1016-17 (9th
10 Cir. 1997).

11 **IT IS SO ORDERED.**

12 Dated: May 24, 2011

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14 LUCY H. KOH
15 United States District Judge
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